

Last revised: August 1, 2017

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re: Carlis Johnson and Yolanda Robinson

Case No.: 16-12596

Judge: JNP

Debtor(s)

Chapter 13 Plan and Motions

Original

☒ Modified/Notice Required

Date: September 12, 2017

☒ Motions Included

☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☒ DOES DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: MR

Initial DebtorCJ

Initial Co-Debtor: _YR_

Part 1: Payment and Length of Plan

a. The debtors have paid to date \$19,462 to the Chapter 13 Trustee. They will continue to pay , \$2233 for the remaining 41 months of the Plan.

b. The debtor shall make plan payments to the Trustee from the following sources:

☒ Future earnings

☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property

Description:

Proposed date for completion: _____

☐ Refinance of real property:

Description:

Proposed date for completion: _____

☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: _____

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection ☐ NONE

- a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).
- b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

- a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Isabel Balboa, Chapter 13 Trustee	Administrative Expense	As Allowed By Statute
Moshe Rothenberg, Esq	Administrative Expense	\$3160

- b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:
Check one:
☒ None
☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
	Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:		

Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Specialized Loan Servicing	331 Pitman Downer Road	\$65,733 plus an additional \$16.962 of post-petition arrears	N/A	\$65,733 plus an additional \$16,962 of post-petition arrears	\$1467

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ~~X~~NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

c. Secured claims excluded from 11 U.S.C. 506: ~~X~~ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation

d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments NONE

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid
South Jersey FCU	331 Pitman Downer Road	\$89,000	\$134,000	First mortgage of SLS	0	N/A	0-second mortgage to be crammed down to zero
Internal Revenue Service	Equity in property on Schedules A&B	\$18,112	\$6369	None	\$6369		\$6369

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender X NONE

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

f. Secured Claims Unaffected by the Plan

The following secured claims are unaffected by the Plan:

g. Secured Claims to be Paid in Full Through the Plan: NONE

Creditor	Collateral	Total Amount to be Paid Through the Plan
Wells Fargo Auto Finance	2004 Lexus	&8097

Part 5: Unsecured Claims ☐ NONE

a. Not separately classified allowed non-priority unsecured claims shall be paid:

Not less than \$ _____ to be distributed *pro rata*

X Not less than 0 percent

☐ *Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid

Part 6: Executory Contracts and Unexpired Leases ☐ NONE

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment

Part 7: Motions ☐ NONE

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f). ☒ NONE

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. NONE

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified
South Jersey FCU	331 Pitman Downer Road	\$89,000	\$134,000	First mortgage with SLS	0	\$89,000

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
Internal Revenue Service	Equity in property listed on Schedules A&B	\$18112	\$6369	\$6369	\$11743

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

☒ Upon confirmation

☐ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee commissions
- 2) Administrative Expenses
- 3) Priority Claims
- 4) Secured Claims

d. Post-Petition Claims

The Standing Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification ☐ NONE

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: _____ 9/12/2017 _____.

Explain below **why** the plan is being modified:

To add in post-petition mortgage arrears

Explain below **how** the plan is being modified:

To add in post-petition mortgage arrears

Are Schedules I and J being filed simultaneously with this Modified Plan? ☐ Yes ☒ No

Part 10: Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are void.

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Certification.

I certify under penalty of perjury that the plan contains no non-standard provisions other than those set forth in this final paragraph.

Date: September 12, 2017

/s/ Moshe Rothenberg, Esq.
Attorney for the Debtor

Date: September 12, 2017

/s/ Carlis Johnson
Debtor

Date: September 12, 2017

/s/ Yolanda Robinson
Joint Debtor

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

Date: September 12, 2017

/s/ Moshe Rothenberg, Esq.
Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: September 12, 2017

/s/ Carlis Johnson
Debtor

Date: September 12, 2017

/s/ Yolanda Robinson
Joint Debtor

Certificate of Notice Page 11 of 12

United States Bankruptcy Court
District of New JerseyIn re:
Carlis Johnson
Yolanda R Robinson
DebtorsCase No. 16-12596-JNP
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin
Form ID: pdf901Page 1 of 2
Total Noticed: 38

Date Rcvd: Sep 13, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 15, 2017.

db/jdb
cr +Carlis Johnson, Yolanda R Robinson, 331 Pitman Downer Road, Sewell, NJ 08080-2440
+HELMER, CONLEY, KASSELMAN, P.A., Robert L. Saldutti, Esquire, Saldutti, LLC,
800 N. Kings Highway, Suite 300, Cherry Hill, NJ 08034-1511
515997206 ABC Bail Bonds, Inc., 215 W Bridge St, Morrisville, PA 19067-7118
516220636 American InfoSource LP as agent for, DIRECTV, LLC, PO Box 5008,
Carol Stream, IL 60197-5008
515997209 Heather Lynn Anderson, 25 Market St, Trenton, NJ 08611-2148
515997210 Helmer Conley and Kasselman, 111 White Horse Pike, Haddon Heights, NJ 08035-1909
515997215 Kennedy Health, 500 Marlboro Ave, Cherry Hill, NJ 08002-2020
515997216 Medeast Post Op, PO Box 822796, Philadelphia, PA 19182-2796
516114470 Navient Solutions, Inc., PO BOX 9640, Wilkes-Barre, PA 18773-9640
516036623 +Navient Solutions, Inc. on behalf of, NJHEAA, PO BOX 548, Trenton, NJ 08625-0548
516185200 Navient Solutions, Inc. on behalf of, Department of Education Loan Services, PO BOX 9635,
Wilkes-Barre, PA 18773-9635
515997220 Pressler & Pressler, 7 Entin Rd, Parsippany, NJ 07054-5020
516037061 ++STATE OF NEW JERSEY, DIVISION OF TAXATION BANKRUPTCY UNIT, PO BOX 245,
TRENTON NJ 08646-0245
(address filed with court: State of New Jersey, Division of Taxation, P.O. Box 245,
Trenton, NJ 08695-0245)
515997221 Saldutti, LLC, C/O Bail Bonds Of America, 800 Kings Hwy N Ste 300,
Cherry Hill, NJ 08034-1511
515997223 South Jersey, PO Box 5530, Deptford, NJ 08096-0530
515997224 South Jersey Gas, PO Box 577, Hammonton, NJ 08037-0577
515997225 South Jersey Radiology, PO Box 1710, Voorhees, NJ 08043-7710
515997226 Specialized Loan Servicing, 8742 Lucent Blvd Ste 300, Highlands Ranch, CO 80129-2386
515997227 +State of New Jersey Division of Taxation, PO Box 106, Trenton, NJ 08695-0001
516238102 +U.S. Bank, N.A., Trustee (See 410), c/o Specialized Loan Servicing LLC,
8742 Lucent Blvd Suite 300, Highlands Ranch, CO 80129-2386
515997228 Underwood Memorial Hospital, 509 N Broad St, Woodbury, NJ 08096-1617
515997229 Verizon, Bankruptcy Dept, 500 Technology Dr, Saint Charles, MO 63304-2225
515997230 Wells Fargo Auto Finance, PO Box 29704, Phoenix, AZ 85038-9704
516072130 Wells Fargo Bank N.A., d/b/a Wells Fargo Dealer Services, PO Box 19657,
Irvine CA 92623-9657
515997231 Zuckeer Steinberg and Wixted, 415 Federal St, Camden, NJ 08103-1122

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
smg E-mail/Text: usanj.njbankr@usdoj.gov Sep 13 2017 22:57:25 U.S. Attorney, 970 Broad St.,
Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534smg +E-mail/Text: ustpreion03.ne.ecf@usdoj.gov Sep 13 2017 22:57:21 United States Trustee,
Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
Newark, NJ 07102-5235cr +E-mail/Text: bankruptcy@southjerseyfcu.com Sep 13 2017 22:57:24 South Jersey FCU,
1615 Hurffville Road, PO Box 5530, Deptford, NJ 08096-0530516025887 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Sep 13 2017 23:01:43
American InfoSource LP as agent for, T Mobile/T-Mobile USA Inc, PO Box 248848,
Oklahoma City, OK 73124-8848516114053 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Sep 13 2017 23:02:21
American InfoSource LP as agent for, Verizon, PO Box 248838,
Oklahoma City, OK 73124-8838515997207 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Sep 13 2017 23:02:21 American Infosource LP,
Att: Department 1, PO Box 4457, Houston, TX 77210-4457515997208 E-mail/PDF: rmscedi@recoverycorp.com Sep 13 2017 22:55:28 Cascade Capital LLC,
25 SE 2nd Ave Ste 1120, Miami, FL 33131-1605515997213 +E-mail/Text: cio.bncmail@irs.gov Sep 13 2017 22:56:56 Internal Revenue Service,
1601 Market St, Philadelphia, PA 19103-2309515997214 E-mail/Text: JCAP_BNC_Notices@jcap.com Sep 13 2017 22:57:36 Jefferson Capital Systems,
PO Box 7999, Saint Cloud, MN 56302-7999515997217 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Sep 13 2017 23:02:21 Midland Funding LLC,
PO Box 4457, Houston, TX 77210-4457515997218 E-mail/PDF: pa_dc_claims@navient.com Sep 13 2017 22:54:53 Navient, PO Box 9555,
Wilkes Barre, PA 18773-9555515997219 E-mail/Text: ebn@vativrecovery.com Sep 13 2017 22:57:03 Palisades Collections LLC,
PO Box 40728, Houston, TX 77240-0728515997222 E-mail/Text: asmith@marcuslaw.net Sep 13 2017 22:57:57 Scott Marcus & Associates,
121 Johnson Rd, Turnersville, NJ 08012-1758

TOTAL: 13

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

District/off: 0312-1 User: admin Page 2 of 2 Date Rcvd: Sep 13, 2017
Form ID: pdf901 Total Noticed: 38

515997212* ++INTERNAL REVENUE SERVICE, CENTRALIZED INSOLVENCY OPERATIONS, PO BOX 7346,
PHILADELPHIA PA 19101-7346
(address filed with court: Internal Revenue Service, PO Box 724, Springfield, NJ 07081)
515997211* Internal Revenue Service, PO Box 7346, Philadelphia, PA 19101-7346
TOTALS: 0, * 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 15, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 12, 2017 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor Specialized Loan Servicing LLC, as servicer for U.S
ROF III Legal Title Trust 2015-1, by U.S Bank National Association, as Legal Title Trustee
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com,
summarymail@standingtrustee.com
Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com
Moshe Rothenberg on behalf of Joint Debtor Yolanda R Robinson moshe@mosherothenberg.com,
alyson@mosherothenberg.com
Moshe Rothenberg on behalf of Debtor Carlis Johnson moshe@mosherothenberg.com,
alyson@mosherothenberg.com
Robert J. Malloy on behalf of Creditor South Jersey FCU ecf.rjmalloylaw@gmail.com
Robert L. Saldutti on behalf of Creditor HELMER, CONLEY, KASSELMAN, P.A.
rsaldutti@saldutticollect.com, lmarciano@saldutticollect.com; kcollins@slgcollect.com
TOTAL: 7